

[ [HYPERLINK \I "\\_Daily\\_Republic"](#) ]

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[ [HYPERLINK \I "\\_Desert\\_Sun"](#) ]

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[ [HYPERLINK \I "\\_E&E\\_News"](#) ]

John Busterud, once a top attorney for California utility giant Pacific Gas and Electric Co., will now lead EPA's Pacific Southwest branch. EPA announced today that Busterud has been appointed Region 9 administrator. His hire comes during a tumultuous time for the regional office, which oversees EPA operations in Arizona, California, Hawaii, Nevada and the Pacific Islands as well as 148 tribes. The agency suddenly fired the prior regional administrator, Mike Stoker, from the post last week.

[ [HYPERLINK \I "\\_Guam\\_Daily\\_Post"](#) ]

The groundbreaking date for the island's new power plant isn't entirely clear yet, but Guam Power Authority General Manager John Benavente anticipates it may be in the next couple of months. Korea Electric Power Corp., which was awarded the multibillion-dollar power plant contract, is preparing environmental impact assessments and permitting requirements before it approaches financing institutions ahead of any groundbreaking, according to Benavente.

[ [HYPERLINK \I "\\_KESQ"](#) ]

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The Trump administration Tuesday named a former PG&E attorney to head the federal Environmental Protection Agency's regional office in San Francisco. John Busterud will manage roughly 700 staff employees and oversee environmental protection efforts across EPA's Region 9, which includes 50 million people living in California, Nevada, Arizona, Hawaii, the Pacific Islands and tribal lands.

[ [HYPERLINK \I "\\_LA\\_Times"](#) ]

For decades, millions of gallons of raw sewage and trash have flowed from the Tijuana River to the Pacific Ocean, fouling beaches, angering Southern Californians and getting worse by the year. An estimated 143 million gallons of waste from Tijuana spilled into the river valley in 2017, overwhelming a treatment plant built by the United States and Mexico nearly 25 years ago.

Last October, a corpse clogged a sewage intake screen, causing a backup and sending 14.5 million gallons of polluted water over the border and into the U.S.

[ [HYPERLINK \I "\\_LA\\_Times\\_1"](#) ]

The waters around Huntington Beach will get a bit of sprucing up this year as a result of a settlement between the U.S. Environmental Protection Agency and a manufacturing company. The EPA announced Monday that it has reached a settlement with Airtech International, which has a facility off Bolsa Avenue in Huntington Beach, about a mile from the Bolsa Chica flood channel.

[ [HYPERLINK \I "\\_Mercury\\_News"](#) ]

The Environmental Protection Agency has named a former attorney for the nation's largest utility to head its West Coast office, replacing the regional director ousted from the post last week. John Busterud, who worked for Pacific Gas and Electric for three decades, will manage more than 600 staff employees and oversee environmental protection efforts across EPA's Region 9, which includes 50 million people living in California, Nevada, Arizona, Hawaii, the Pacific Islands and tribal lands, KQED reported Tuesday.

[ [HYPERLINK \I "\\_Orange\\_County\\_Register"](#) ]

Huntington Beach company Airtech International will pay a \$95,208 penalty for unauthorized industrial stormwater discharges, the U.S. Environmental Protection Agency announced Monday, Feb. 10. Airtech manufactures products for the aerospace and automotive industries – among them, vacuum bag connectors and hoses, cutting tools, shrink tape and fiberglass.

[ [HYPERLINK \I "\\_Patch.com"](#) ]

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[ [HYPERLINK \I "\\_Times\\_of\\_San"](#) ]

The State Lands Commission and State Controller pleaded with the Environmental Protection Agency in a letter Friday asking for immediate action to stop the flow of 50 million gallons per day of polluted water into the Tijuana River Valley. That polluted water flow has created significant and ongoing beach closures in Imperial Beach and Coronado.

[ [HYPERLINK \I "\\_Watch\\_Our\\_City"](#) ]

A Huntington Beach-based company finalized a settlement today with the U.S. Environmental Protection Agency, agreeing to pay a \$95,208 penalty for stormwater runoff violations. Airtech International Inc., which makes materials used in the aerospace, automotive, marine and wind energy industries, paid the penalty to settle the dispute with the EPA over unauthorized industrial stormwater runoff between December 2014 and January of last year, the EPA reported.

[ [HYPERLINK \I "\\_Water\\_Quality\\_Products"](#) ]

The U.S. EPA has reached a settlement with Pool Water Products Inc. for alleged violations of federal pesticide laws. The violations occurred at the company's facility in Phoenix, Arizona, reported the EPA. The company has 30 days to pay the \$800,000.

Daily Republic

[ HYPERLINK "<https://www.dailyrepublic.com/all-dr-news/solano-news/fairfield/epa-releases-annual-toxic-release-inventory-for-solano-state/>" ]

## **EPA releases annual Toxic Release Inventory for Solano, state**

February 21, 2020

The U.S. Environmental Protection Agency announced the latest annual Toxic Release Inventory National Analysis on Tuesday in San Francisco.

The findings cover 2018, the most recent publicly available report, a press release said.

A total of 1,208 facilities in California reported 34.5 million pounds of TRI chemical releases for 2018, a 19 percent increase from 2017.

There are 18 identified Toxic Release Inventory sites in Solano County that managed 36.29 million pounds of production-related waste in 2018, according to the report. It's the most production-related waste that was managed in Solano County since 2015. and nearly matches that's year's total of 36.47 million pounds.

Six of the sites are in Fairfield; two are near Rockville Hills Regional Park; there are two each in Vacaville, Benicia, Dixon and Vallejo; and one each at Travis Air Force Base and in Suisun City.

Treatment accounted for 17.56 million pounds of managed waste in Solano County. Energy recovery accounted for another 17.37 million pounds. Recycling amounted to an additional 214,421 pounds.

The county's various facilities had a combined total of 1.14 million pounds of on-site and off-site disposal or other releases, according to the report. Of the on-site total, 306,700 pounds was released into the air, 828,600 pounds into water and 34 pounds onto land.

The largest total of release or disposal came from the Valero petroleum refinery in Benicia at 970,795 pounds, with the lion's share – more than 828,000 pounds – released into the water and another 135,061 pounds released into the air, according to the report.

Next on the list or the top five, with primarily air emissions, is the Ball Metal plant in Fairfield at 118,115 pounds and the Ardagh Metal Beverage USA plant in Fairfield at 41,230 pounds.

Rounding out the list, with solely air emissions, is Anheuser-Busch in Fairfield at 5,875 pounds and Nexeo Solutions in Fairfield at 4,753 pounds, according to the report.

The hazardous waste management, petroleum products, primary metals and food manufacturing sectors reported the highest releases in the state.

In 2018, 7 percent of facilities in California (81 facilities) implemented new source reduction activities. Most facilities reporting source reduction were in the fabricated metals or computers and electronics sectors.

This year's National Analysis expands the focus on geographical trends in chemical waste management across the country. New features include profiles exploring the diversity of industrial operations in each EPA region and a closer look at data from the hazardous waste management sector and the aerospace manufacturing sector.

It shows an increase in recycling of TRI chemical wastes nationwide and indicates that companies continue to find ways to implement new source reduction activities and reduce the quantities of TRI chemicals they release into the environment.

Along with the 2018 TRI National Analysis, the EPA is publishing a new tool on the TRI website to help explain the data reported by the metal mining sector.

EPA's new interactive graphic, which was developed with input from stakeholders, explains how metal mines operate, and generally how and where releases of TRI-listed chemicals happen.

"The Toxics Release Inventory provides the public in America's Pacific Southwest with important environmental data that can be used to learn more about facilities in their communities," Pacific Southwest Acting Regional Administrator Deborah Jordan said in the press release. "Overall national trends in the data indicate facilities are recycling more, which is good for the economy and the environment in our region and across the U.S."

2018 national highlights include:

- Releases of TRI-covered chemicals into the environment from the manufacturing sector were lower than expected based on economic activity.
- Facilities initiated 3,120 new activities to prevent or reduce the creation of chemical waste.
- Nationally, the percent of industrial chemical waste that is recycled instead of released continued to increase.

Under the Emergency Planning and Community Right-to-Know Act, covered facilities must report their annual releases of TRI chemicals for the prior calendar year to EPA by July 1. EPA, states and tribes receive TRI data from facilities in industry sectors such as manufacturing, mining, electric utilities and commercial hazardous waste management. The Pollution Prevention Act also requires facilities to submit information on pollution prevention and other waste management activities of TRI chemicals.

To access the 2018 TRI National Analysis, including local data and analyses, visit [www.epa.gov/trinationalanalysis](http://www.epa.gov/trinationalanalysis). Information on facility efforts to reduce TRI chemical

releases is available at [www.epa.gov/tri/p2](http://www.epa.gov/tri/p2). Learn more about EPA's Pacific Southwest Region at [www.epa.gov/pacific-southwest-media-center](http://www.epa.gov/pacific-southwest-media-center).

Desert Sun

[ [HYPERLINK "https://www.desertsun.com/story/news/environment/2020/02/07/epa-loans-cvwd-59-million-stormwater-control-project/4694812002/"](https://www.desertsun.com/story/news/environment/2020/02/07/epa-loans-cvwd-59-million-stormwater-control-project/4694812002/) ]

### **EPA loans Coachella Valley Water District \$59 million for stormwater control**

By [ [HYPERLINK "http://www.desertsun.com/staff/4478556002/mark-olalde/"](http://www.desertsun.com/staff/4478556002/mark-olalde/) ]

February 7, 2020

The Coachella Valley Water District and the U.S. Environmental Protection Agency on Friday signed an agreement for a \$59.1 million loan to finance improvements to the district's 134-mile stormwater system that drains into the Salton Sea.

CVWD has 35 years to pay back the money, made available through the federal Water Infrastructure Finance and Innovation Act, which began doling out low-interest loans in 2017. The funding will help pay for two projects in the valley — one to increase the canal's capacity between Coachella and Thermal and another that will build 3.3 miles of channel near Shadow Hills.

"The loan will accelerate the expansion and repair of critical stormwater facilities," CVWD board President John Powell Jr. said at the signing ceremony, adding that the system improvements would assist in "reducing flood risk in the Coachella Valley to protect life and property."

The upgrades, which are expected to be completed in 2023, will allow the system to handle a maximum flow of about 39,000 cubic feet of water per second, an increase of an estimated 15,000 cubic feet per second.

Severe rainstorms have pushed the CVWD channels and other local stormwater systems to capacity in recent years. Homeowners in areas around north Indio need flood insurance, which CVWD staff hopes will no longer be necessary after the improvements. "We're aware of this issue and we're going to be building this channel to protect those communities," Powell said.

The district's loan, with a 1.96% interest rate, will cover about half the cost of the projects, bringing the total bill to roughly \$120 million. The CVWD's stormwater fund, which is paid into by property taxes, will cover the remainder as well as be tapped to pay back the EPA. The construction is estimated to support about 370 jobs.

Tomás Torres, director of EPA Region 9's Water Division, said the still-young infrastructure loan program has filled a much-needed gap in financing for large water projects. Through it, the EPA funds proposals ranging from about \$20 million to a \$699 million San Francisco Public Utilities Commission project to modernize its wastewater treatment facilities.

EPA estimates that \$740 billion could be needed over two decades to repair the country's water infrastructure.

“This is the single most popular program in Congress because it is shoveling dirt,” Torres said. “People love infrastructure, so of all the EPA programs, this is the only one that’s been growing year after year.”

EPA also released the infrastructure financing program's first annual report on Thursday, which found that between April 2018 and December 2019, the agency signed off on 14 loans worth a combined \$3.5 billion and affecting systems used by more than 20 million people.

Torres said that increasingly severe storms brought on by a changing climate are challenging municipal stormwater systems and leaving local governments searching for funding for upgrades.

“What we’re hearing from the communities is that they’re facing more and more flooding situations year after year and that it’s increasing,” he said.



E&E News

[ [HYPERLINK "https://www.eenews.net/stories/1062324381"](https://www.eenews.net/stories/1062324381) ]

## **Ex-PG&E lawyer to take helm of Region 9**

February 11, 2020

John Busterud, once a top attorney for California utility giant Pacific Gas and Electric Co., will now lead EPA's Pacific Southwest branch.

EPA announced today that Busterud has been appointed Region 9 administrator. His hire comes during a tumultuous time for the regional office, which oversees EPA operations in Arizona, California, Hawaii, Nevada and the Pacific Islands as well as 148 tribes. The agency suddenly fired the prior regional administrator, Mike Stoker, from the post last week.

EPA Administrator Andrew Wheeler said in a statement that Busterud's "extensive background in energy and environmental issues makes him a great choice to lead Region 9."

Busterud called it "an honor and privilege" to serve as head of EPA's Region 9 office. "I look forward to working with Administrator Wheeler, the administration, our dedicated professional staff, and our partners and stakeholders to protect human health and the environment in the Pacific Southwest," he said.

Wheeler told EPA employees in an internal email obtained by E&E News that Busterud will start in the San Francisco office Feb. 18.

In addition, Deborah Jordan, who had been acting regional administrator in the wake of Stoker's firing, will return to her prior post of deputy regional administrator in the Pacific Southwest branch.

"As we welcome John to Region 9, please join me in thanking Deborah Jordan who graciously stepped up to serve as the Acting Regional Administrator during this transition," Wheeler said in the email sent today.

Busterud worked at PG&E from 1985 to 2016, including as a senior director and managing counsel.

At the utility, he helped oversee "a broad practice including air and water quality, hazardous materials compliance and remediation, endangered species, and legislative and environmental policy matters," according to Wheeler's email. Busterud also served on EPA's Clean Air Act Advisory Committee from 2012 to 2017 while at PG&E.

PG&E attracted scrutiny for shutting off power last year to prevent wildfires in California. Wheeler instead questioned whether state regulators were to blame for the power outages (*Greenwire*, Oct. 22, 2019).

Busterud is a retired Army colonel and had several active duty deployments, including Operation Iraqi Freedom. He discussed a deployment in Africa and a memento he kept in his office — a rungu stick, or "warrior club" — with PG&E's external news website in 2013.

"You'll see that our command put our command coin on the rungu stick, as well as our name and the time we deployed. I had a great experience when I was working in Kenya to actually meet Maasai warriors who were working in the community and discuss their proud tribal past and how they still are a very special part of Kenyan society," Busterud said.

He has been a board member for the California Council for Environmental and Economic Balance, vice chairman of the California Veterans Board, and chairman of the Foundation for Relief and Reconciliation in the Middle East.

Busterud earned his Bachelor of Arts degree from Union College, got his law degree from the University of California Hastings College of the Law and graduated from the Army's Command and General Staff College.

He also comes from a family with Republican environmental ties. His father, John A. Busterud, was a former GOP California assemblyman who served as chairman of the White House Council on Environmental Quality under President Ford.

His predecessor, Stoker, was terminated abruptly last week by EPA. Stoker claimed his firing was personal after he clashed with leadership in EPA headquarters, but the agency claimed he had neglected his duties and traveled too much (*Greenwire*, Feb. 7).

EPA had defended Stoker's frequent travel in the past. In addition, the agency changed Stoker's "duty station," essentially his workplace, to Los Angeles, which was closer to his Santa Barbara County home, according to records obtained by E&E News under the Freedom of Information Act.

EPA spokesman Michael Abboud said Busterud's duty station will be the EPA Region 9 office in San Francisco. That is the branch's main office, where roughly 90% of Region 9 employees work.

Guam Daily Post

[ HYPERLINK "[https://www.postguam.com/news/local/new-power-plant-could-break-ground-in-months/article\\_9dcb86e0-4bb6-11ea-a322-5f649d09ec6d.html](https://www.postguam.com/news/local/new-power-plant-could-break-ground-in-months/article_9dcb86e0-4bb6-11ea-a322-5f649d09ec6d.html)" ]

## **New power plant could break ground in months**

By John O'Connor

February 11, 2020

The groundbreaking date for the island's new power plant isn't entirely clear yet, but Guam Power Authority General Manager John Benavente anticipates it may be in the next couple of months.

Korea Electric Power Corp., which was awarded the multibillion-dollar power plant contract, is preparing environmental impact assessments and permitting requirements before it approaches financing institutions ahead of any groundbreaking, according to Benavente.

The power plant is one part of a consent decree with the U.S. Environmental Protection Agency for the utility's violation of clean air emissions standards. Other mandates include contracting out 100 megawatts of solar power and converting Piti Units 8 and 9 to use ultra-low-sulfur diesel, as well as other mandates.

Cabras 1 and 2 will also use ultra-low-sulfur diesel until they are shut down. Those units currently use residual fuel oil.

Like the new power plant, a lot of compliance items are already being worked on, such as the solar power contracts, Benavente said.

GPA also agreed to pay a \$400,000 civil penalty that is expected to be staved off as much as \$600 million in fines, when combined with other mandates in the decree.

The U.S. Department of Justice filed the decree settlement in court on behalf of U.S. EPA at the U.S. District Court in Washington, D.C. last week. There is a 30-day public comment period prior to approval.

The \$400,000 penalty will be paid within 30 days after the court accepts the decree. GPA has the money on hand and there will be no impact on rates, according to Benavente. The decree should remain in effect for about four years.

"The construction of the new power plant is three years. So we'll be done by the end of 2022. And then we'll work to clear up everything by the end of 2033 at the latest, so this doesn't become a long-term consent decree like solid waste or other aspects," Benavente said.

KEPCO, through its contract with GPA, faces penalties if the power plant is not built by the desired due date, he added. The company could see fines of \$240,000 per day by the third month of exceeding the October 2022 target, Benavente said.

GPA also faces daily penalties, although up to the thousands, if it cannot meet the terms of the consent decree with U.S. EPA.

However, the federal agency may exercise reasonableness with timelines and allow wiggle room in case of certain circumstances, said Joey Duenas, the chairman of the Consolidated Commission on Utilities.

"What you can't do is just do nothing and sit on it and sit on it," he added.

GPA dropped its workforce from 512 employees to about 450 in the last four years. By the time the new power plant is online, GPA will potentially drop its workforce to below 400 employees, Benavente said.

The utility has been stating that about 60% of its workforce is eligible for retirement in the next five to ten years, provided opportunities for right sizing, he added.

"Our plan is to figure out alternatives today so that we don't keep hiring people that won't have a job in the end," Benavente said.

The plan will come to the CCU by summer, he added.

KESQ

[ HYPERLINK "<https://kesq.com/news/top-stories/2020/02/07/cvwd-receives-59-million-loan-for-stormwater-channel-improvements/>" ]

## **CVWD receives \$59 million loan for stormwater channel improvements**

February 7, 2020

The Coachella Valley Water District received a \$59 million loan from federal authorities to pay for stormwater channel improvements aimed at better managing the flow of water through the Coachella Valley during heavy rains, it was announced today.

"Last year's Valentine's Day flood showed the danger and devastation that heavy rains and flooding can cause to our communities," said Rep. Raul Ruiz "This loan will go a long way to help manage floods, save property and protect public health."

The loan from the U.S. Environmental Protection Agency will pay roughly half of the costs of two CVWD projects -- the Stormwater Channel Improvement Project and North Indio Regional Flood Control Project, which together will cost \$120.7 million, according to the EPA.

Project construction and operation jobs are expected to total 378, which include temporary and permanent jobs.

"These projects are vital to our ability to provide regional stormwater protection to the Coachella Valley," said CVWD General Manager Jim Barrett. "Securing this loan means that we can undertake these important projects and reduce the financial burden to our customers by spreading it over time."

While details regarding the loan repayment plan and interest were not immediately available, Tomas Torres, director of the EPA Pacific Southwest Water Division, said in a statement the loans were "low-interest" and involved "flexible financing."

The Stormwater Channel Improvement Project improves existing channel infrastructure starting north of Avenue 54, which begins south of Coachella, and on down to Thermal.

The North Indio Regional Flood Control Project extends 3.3 miles in Indio and is aimed at better managing and capturing stormwater along that stretch of the channel.

The locally dubbed "Valentine's Day Storm" of 2019 saw the wettest day in the Coachella Valley in 76 years. Palm Springs received 3.69 inches of rain, and the Coachella Valley stormwater channel was quickly overcome as mud and debris turned to local roadways.

The loan was distributed via the Water Infrastructure Finance and Innovation Act of 2014, a federal loan and guarantee program administered by the EPA.

Including the \$59 million loan to the CVWD, the EPA has now issued 15 WIFIA loans totaling more than \$3.5 billion to help finance more than \$8 billion for water infrastructure projects nationwide, creating more than 15,000 jobs, according to the agency.

KQED

[ [HYPERLINK "https://www.kqed.org/science/1956792/epa-appoints-former-pge-attorney-to-head-regional-office-in-san-francisco"](https://www.kqed.org/science/1956792/epa-appoints-former-pge-attorney-to-head-regional-office-in-san-francisco) ]

## **EPA Appoints Former PG&E Attorney to Head Regional Office in San Francisco**

By [ [HYPERLINK "https://www.kqed.org/author/kevinstark"](https://www.kqed.org/author/kevinstark) ]

February 11, 2020

The Trump administration Tuesday named a former PG&E attorney to head the federal Environmental Protection Agency's regional office in San Francisco.

John Busterud will manage roughly 700 staff employees and oversee environmental protection efforts across EPA's Region 9, which includes 50 million people living in California, Nevada, Arizona, Hawaii, the Pacific Islands and tribal lands.

The appointment comes amid continuing conflict between California and the federal government over environmental policy.

Among the areas of disagreement are the Trump administration's policies aimed at expanding domestic oil and gas production, and its rollback of environmental regulations. California, a state with robust environmental enforcement, is seeking to transition away from fossil fuels. Busterud's experience includes serving as a board member for the California Council for Environmental and Economic Balance, a group that represents the natural gas industry, among other types of business.

Bill Quinn, the council's president and CEO said in a statement that Busterud is "uniquely qualified to provide strong and steady leadership for EPA and Region 9. John understands the issues and knows the key players, particularly here in California."

Daniel Kammen, a UC Berkeley professor who chairs the university's Energy and Resources Group, was critical of the appointment, saying Busterud "certainly feels like a Trump administration appointee."

"His resume is of an oil-and-gas knowledgeable person with exceedingly little background on the environment," Kammen said. "EPA's job is to protect and defend the environment, both natural and human. His background looks very much like he is someone with experience and depth on the traditional energy side of PG&E."

At PG&E, Busterud directed the department of the environment and real estate. He worked on issues related to air and water quality, endangered species, toxic waste and environmental policy, according to an EPA press release.

PG&E spokesperson Paul Doherty said in an email that Busterud retired from the company's law department in 2016 after serving 30 years with the utility.

“He has deep knowledge, expertise and experience in climate policy,” Doherty said. “He helped the company advocate for its positions supporting California’s bold clean energy goals, with a focus on our customers and communities.”

When asked to elaborate on Busterud's work on oil and gas issues for the utility, Doherty would only say "he had a 30-year career at the company. He had broad experience."

The state has sparred with the Trump administration over climate change and the environment more than on any other issue. California has won favorable rulings in the majority of environmental cases on which the courts have ruled, although many are still pending.

Jared Blumenfeld, California's top environmental regulator, told the San Francisco Chronicle that Busterud "seems reasonable and generally thoughtful on the issues" and "has the potential to do a good job."

“Hopefully, he’ll be able to fulfill EPA’s mandate to protect human health and the environment,” Blumenfeld said. "He’s going to have a tough job because the Trump administration is out to get California, San Francisco and the environment in general.”

Last week, the Justice Department dropped an antitrust investigation into four car manufacturers that sided with California in an ongoing dispute with the administration over car pollution and smog.

Busterud said in a statement that it is an “honor and privilege” to take the position with the EPA, and that he looks forward to working with EPA Administrator Andrew Wheeler. “We are committed to building on the agency’s legacy of success by providing clean and safe air, water and land for all Americans,” Busterud said.

Wheeler praised Busterud’s background in energy and environmental issues. Busterud is a retired U.S. Army Colonel with multiple active duty deployments in Iraq and on the Korean Peninsula.

While he will not be in a position of setting policy, he will set the tone for how thoroughly his office presses polluters to comply with regulations. Regional EPA offices also help states in meeting their climate goals, provide technical input to large development projects and offer grants to local governments and organizations.

Busterud replaces Mike Stoker, a former oil industry spokesperson, who was fired from his position as regional administrator less than a week ago.

EPA’s termination of Stoker sparked a war of words with his former employer. Stoker said he was let go after receiving praise from Democrats, including Speaker of the House Nancy Pelosi.

“You don’t protect public health and environment in Democratic neighborhoods when you are Democratic president or in Republican neighborhoods when you are a Republican president, you do it everywhere,” Stoker said.

But Stoker received scrutiny from the EPA’s inspector general after an internal complaint claiming he was traveling excessively and not spending much time with his staff, who are headquartered in San Francisco. Stoker managed the office from Southern California. An EPA spokeswoman said Stoker was let go for “severe neglect and incompetent administration of his duties.”



LA Times

[ HYPERLINK "<https://www.latimes.com/politics/story/2020-02-10/unlikely-allies-push-the-trump-administration-to-back-cleaning-pollution-from-the-tijuana-river>" ]

## **Unlikely allies got White House to tackle Tijuana River mess: How they pulled it off**

By Anna M. Phillips and Jennifer Haberkorn

February 10, 2020

For decades, millions of gallons of raw sewage and trash have flowed from the Tijuana River to the Pacific Ocean, fouling beaches, angering Southern Californians and getting worse by the year.

An estimated 143 million gallons of waste from Tijuana spilled into the river valley in 2017, overwhelming a treatment plant built by the United States and Mexico nearly 25 years ago. Last October, a corpse clogged a sewage intake screen, causing a backup and sending 14.5 million gallons of polluted water over the border and into the U.S.

Yet neither country has been willing to spend the money to expand the plant. Then President Trump renegotiated the North American Free Trade Agreement with Mexico and Canada in late 2018. He needed the approval of Congress. That was the opening local groups at the border needed to resolve the environmental disaster.

When Trump signed legislation last month implementing the new agreement known as the USMCA, it included a provision authorizing \$300 million to try to stop the cross-border sewage flows.

With the support of an unusual mix of local Democrats, Republicans, Border Patrol agents and environmental groups, House Democrats leveraged their support for the trade bill — one of Trump's highest priorities — to secure the administration's rare backing for an environmental project.

Each group played a part. Democrats in Congress drafted legislation to provide money and legal authority to address the spills, hoping to add it to the trade bill. San Diego's Republican mayor, Kevin Faulconer, met with the president to plead the case. Environmentalists emphasized the health risks of the pollution, and Border Patrol agents at the Imperial Beach Station made public their complaints of rashes, burning eyes and sore throats.

The advocates' pitch for federal money was not a simple ask, given that it involved frequent targets of the president's ire. Trump has warred for three years against Mexico's and California's leaders on a range of issues. At the behest of farmers and real estate developers, his administration has weakened federal regulations protecting water quality.

"We used his ambition for a new trade agreement to get what we wanted," said Rep. Jimmy Gomez (D-Los Angeles), who was one of the lawmakers who negotiated with administration

officials. “And in the end, it benefits, of course, the entire country and all Americans. But I think if [Trump] had a choice, it wouldn’t have been in there.”

A spokesman for Robert Lighthizer, the United States trade representative, said the administration was open to the project from the beginning. But House Democrats said the administration turned them down when they first sought \$400 million to expand and upgrade the South Bay International Wastewater Treatment Plant, though Trump’s advisors didn’t dispute that the sewage overflows were making people sick along the border.

The request was a “non-starter,” administration officials told the group, according to Rep. Earl Blumenauer (D-Ore.), chairman of the House subcommittee with jurisdiction over trade legislation.

Faulconer, who met with Trump at the White House last summer to ask for funding, said the administration offered only \$40 million — a tenth of what experts estimated was needed. Faulconer said he continued to push, appealing to Trump’s desire to deliver on a campaign promise of a new and improved NAFTA.

“We weren’t looking for a down payment,” he said. “We were looking for an amount that would get us what we need. I said, ‘Mr. President, we can fix this.’” Trump offered him no assurances, however.

In the months of haggling that followed, four Democratic lawmakers from the San Diego area — Reps. Mike Levin, Susan A. Davis, Scott Peters, and Juan Vargas — turned up the pressure on Blumenauer and other House trade-bill negotiators to make the border project among their top demands.

Vargas loudly threatened to oppose the USMCA bill and Levin refused to say anything positive about it, suggesting that he might oppose it, too.

By mid-summer, the four lawmakers had drafted legislative language, and they lobbied other House Democrats to make it their top environmental priority for the legislation giving Congress’ approval to the three countries’ trade agreement. Mexico’s lawmakers have ratified the trade deal, but the issue is pending in Canada.

Vargas said that Levin, a freshman lawmaker, was “like a dog with a bone” on the issue. Levin said he would purposely run into Blumenauer in the House members’ gym to quiz him on where the funding request stood in the negotiations.

Seeking additional leverage, Davis, a senior member of the House Armed Services Committee, urged the administration to consider the national security consequences. With the Navy building a new training complex close to Imperial Beach, SEALs would be operating near where sewage spills into the ocean.

Vargas said the Navy refused to take a public position on the issue — doing so would acknowledge that its new facility was in a potentially contaminated area — but quietly made its support known to the administration.

Davis “did a great job of getting the military involved,” Vargas said. A Navy spokesman disputed this account, however, writing, “The Navy has not been lobbying or working ‘behind the scenes’ for funding to address Tijuana River pollution issues.” The Border Patrol, far from staying silent, was actively involved in drawing attention to the pollution.

Its agents have suffered from continuous exposure to the river’s fumes, and polluted water has been known to dissolve the glue on agents’ boots, according to Amber Craig, a Border Patrol agent and public lands liaison. The agency tested the water to document the high concentrations of *E. coli* bacteria, heavy metals and pesticides so dangerous that they’re banned in the U.S. Craig and other agents worked with San Diego’s elected officials and the Surfrider Foundation, an environmental organization dedicated to protecting the coast, to advocate for funding to stop the sewage spills.

“Border Patrol and Surfrider don’t seem like they’d have anything in common,” Craig said, “but we’re all just great partners.”

Democratic lawmakers said Border Patrol agents and the Navy were crucial to winning the administration’s support.

The Democrats wielded considerable influence given their majority in the House, and they sought environmental gains beyond the Tijuana River cleanup. But the Democratic negotiators were caught between progressives’ demands for Mexico to adopt stronger environmental rules and the Mexican negotiators’ opposition at a time when Trump is weakening environmental safeguards in his country.

“The Trump administration undercut us in terms of their not taking environmental protections seriously,” Blumenauer said. “It looked like we were being hypocritical.”

As a result, federal funding to lessen the sewage flows was the only significant environmental victory to emerge from the trade negotiations.

When final talks began late last year among Lighthizer, House Speaker Nancy Pelosi (D-San Francisco) and Rep. Richard E. Neal (D-Mass.), who chairs the House Ways and Means Committee, it was clear the Tijuana River cleanup would be addressed in the trade deal. With Pelosi making the issue a priority, opposition had melted away.

The amount of money was among the final issues decided, just days before the legislation was announced on Dec. 10, according to several people familiar with the negotiations.

The Senate and House each passed the ratification measure. When Trump signed it on Jan. 29, some California officials declared victory. Faulconer attended the signing ceremony at the White House, and later said that the money would be used to clean up the sewage spills “once and for all.”

However, others stressed that the drive to reduce the sewage spills is not over.

The \$300 million still is \$100 million less than experts say is needed for a system capable of reducing cross-border pollution by about 95%. And the sum hasn’t been allocated to specific purposes yet.

Yet everyone involved in the negotiations was certain of one thing: The U.S. couldn’t wait any longer for Mexico to repair its crumbling infrastructure. The new trade deal is expected to give rise to additional factories at the border, bringing more people to Tijuana — and more refuse to the river valley.

LA Times

[ HYPERLINK "<https://www.latimes.com/socal/daily-pilot/news/story/2020-02-10/airtech-international-clean-huntington-beach>" ]

## **Company will help clean up Huntington Beach's shores following settlement over industrial runoff, EPA says**

By Faith E. Pinho

February 10, 2020

The waters around Huntington Beach will get a bit of sprucing up this year as a result of a settlement between the U.S. Environmental Protection Agency and a manufacturing company.

The EPA announced Monday that it has reached a settlement with Airtech International, which has a facility off Bolsa Avenue in Huntington Beach, about a mile from the Bolsa Chica flood channel.

For about four years, the EPA said, Airtech violated the federal Clean Water Act by allowing industrial stormwater runoff to flow into the Bolsa Chica channel without a stormwater discharge permit from the California State Water Resources Control Board. The EPA said the unauthorized discharges occurred between December 2014 and January 2019.

Airtech is a manufacturer of materials used in the aerospace, automotive, marine and wind energy industries. An EPA inspection of its facility in March 2018 found that industrial materials such as plastic resin pellets were overflowing waste containers, scattering on the loading dock and spreading into a stormwater drain, according to the settlement agreement.

Airtech representatives did not respond to requests for comment Monday.

Under the settlement, Airtech will complete habitat restoration projects, conduct five beach cleanups in Huntington Beach and pay a \$95,208 penalty to the federal government.

The habitat restoration, which the settlement said must cost an additional \$66,120 or more, is expected to add oyster shells and replant eelgrass in parts of the Upper Newport Bay area.

"Stormwater discharges from the manufacturing industry are a major contributor to California coastal water pollution," Amy Miller, director of the EPA's Pacific Southwest Enforcement and Compliance Assurance Division, said in a statement. "This settlement will bring about improved stormwater management at the Airtech facility along with a much-needed project to clean up local beaches and restore coastal habitat."

Tom Anderson, administrative director for Amigos de Bolsa Chica, a nonprofit organization that aims to preserve the Bolsa Chica wetlands, said in an interview that "any funds for wetland restoration projects and beach cleanups are welcome and very much needed everywhere along the remaining parts of the undeveloped Orange County coast."

Mercury News

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### **Former PG&E attorney to head EPA West Coast office**

February 12, 2020

The Environmental Protection Agency has named a former attorney for the nation's largest utility to head its West Coast office, replacing the regional director ousted from the post last week.

John Busterud, who worked for Pacific Gas and Electric for three decades, will manage more than 600 staff employees and oversee environmental protection efforts across EPA's Region 9, which includes 50 million people living in California, Nevada, Arizona, Hawaii, the Pacific Islands and tribal lands, KQED reported Tuesday.

Mike Stoker, the EPA's regional director since 2018, said he got a call last week from senior agency officials in Washington, D.C., telling him to resign.

The change in leadership comes amid conflict between California and the federal government over environmental policy.

Among the disagreements are the Trump administration's policies aimed at expanding domestic oil and gas production, and its rollback of environmental regulations. California, a state with robust environmental enforcement, is seeking to transition away from fossil fuels.

Busterud's experience includes serving as a board member for the California Council for Environmental and Economic Balance, a group that represents the natural gas industry, among other types of business.

At PG&E, Busterud directed the department of the environment and real estate. He worked on issues related to air and water quality, endangered species, toxic waste and environmental policy, according to an EPA press release.

Busterud retired from the company's law department in 2016 after serving 30 years with the utility.

Busterud said in a statement that it is an "honor and privilege" to take the position with the EPA, and that he looks forward to working with EPA Administrator Andrew Wheeler. "We are committed to building on the agency's legacy of success by providing clean and safe air, water and land for all Americans," Busterud said.

Orange County Register

[ [HYPERLINK](#)

"https://gcc01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.ocregister.com%2F2020%2F02%2F10%2FHuntington-beach-firm-settles-with-epa-over-polluted-stormwater-runoff-in-bolsa-chica-reserve%2F&data=02%7C01%7CShanahan.Eileen%40epa.gov%7C1662ee5ab1394c275d9f08d7b006d1c3%7C88b378b367484867acf976aacbeca6a7%7C0%7C0%7C637171415643619320&sdata=abmjbdhNExbHp84OdTD29%2FGk3516X97TC%2FcLmbAOG6c%3D&reserved=0" ]

### **Polluted stormwater runoff in Bolsa Chica reserve leads to \$95,000 EPA penalty**

By Susan Christian Goulding

February 10, 2020

Huntington Beach company Airtech International will pay a \$95,208 penalty for unauthorized industrial stormwater discharges, the U.S. Environmental Protection Agency announced Monday, Feb. 10.

Airtech manufactures products for the aerospace and automotive industries – among them, vacuum bag connectors and hoses, cutting tools, shrink tape and fiberglass.

Contaminated stormwater runoff flowed from the Airtech facility into Bolsa Chica Channel, entering the Bolsa Chica Ecological Reserve and the Pacific Ocean, EPA officials said. Pollutants included metals, plastics, resins and oils.

Sign up for our Coast Lines newsletter, a weekly digest of news and features on how the residents of the SoCal coast are building ties to their changing environment.

As part of the settlement, Airtech will conduct five beach cleanup events. The company also will help replenish native Olympia oyster shells in the Upper Newport Bay and replant eelgrass to improve sustainability.

“We are very pleased to have reached an agreement that includes supplemental environmental projects and restoration work,” said Amy Miller, director of the EPA Pacific Southwest Enforcement and Compliance Assurance Division.

In 2018, the Santa Ana Regional Water Quality Control Board asked the EPA to check that local manufacturing companies were in compliance with stormwater management regulations.

“Stormwater discharges from the manufacturing industry are a major contributor to California coastal water pollution,” Miller said.

Inspectors found that Airtech had failed to obtain a stormwater discharge permit from the California State Water Resources Control Board. Officials said the company was not using “best

management practices” – such as routinely sweeping paved surfaces and covering areas where materials are stored.

“Potential polluting sources from outdoor industrial activities must be covered and contained,” Miller said. “Our first goal is always to get the company back into compliance before starting the penalty phase.”

Due to a statute of limitations, the EPA can only go back five years to determine penalties. Airtech was fined for being out of compliance between December 2014 and January 2019.

“Rain and other water moves pollutants offsite and into rivers and oceans,” Miller said. “It’s important for all of us to play a role in minimizing the pollution that flows into our ocean.”



Patch.com

[ HYPERLINK "<https://patch.com/california/palmdesert/59-million-loan-help-fix-coachella-valley-flooding-announced>" ]

## **\$59 Million Loan To Help Fix Coachella Valley Flooding Announced**

February 7, 2020

The Coachella Valley Water District received a \$59 million loan from federal authorities to pay for stormwater channel improvements aimed at better managing the flow of water through the Coachella Valley during heavy rains, it was announced Friday.

"Last year's Valentine's Day flood showed the danger and devastation that heavy rains and flooding can cause to our communities," said Rep. Raul Ruiz, who represents the valley in Congress. "This loan will go a long way to help manage floods, save property and protect public health."

The loan from the U.S. Environmental Protection Agency will pay roughly half of the costs of two CVWD projects — the Stormwater Channel Improvement Project and North Indio Regional Flood Control Project, which together will cost \$120.7 million, according to the EPA. Project construction and operation jobs are expected to total 378, which include temporary and permanent jobs.

"These projects are vital to our ability to provide regional stormwater protection to the Coachella Valley," said CVWD General Manager Jim Barrett. "Securing this loan means that we can undertake these important projects and reduce the financial burden to our customers by spreading it over time."

While details regarding the loan repayment plan and interest were not immediately available, Tomas Torres, director of the EPA Pacific Southwest Water Division, said in a statement the loans were "low interest" and involved "flexible financing."

The Stormwater Channel Improvement Project improves existing channel infrastructure starting north of Avenue 54, which begins south of Coachella, and on down to Thermal.

The North Indio Regional Flood Control Project extends 3.3 miles in Indio and is aimed at better managing and capturing stormwater along that stretch of the channel.

The locally dubbed "Valentine's Day Storm" of 2019 saw the wettest day in the Coachella Valley in 76 years. Palm Springs received 3.69 inches of rain, and the Coachella Valley stormwater channel was quickly overcome as mud and debris turned to local roadways.

The loan was distributed via the Water Infrastructure Finance and Innovation Act of 2014, a federal loan and guarantee program administered by the EPA.

Including the \$59 million loan to the CVWD, the EPA has now issued 15 WIFIA loans totaling more than \$3.5 billion to help finance more than \$8 billion for water infrastructure projects nationwide, creating more than 15,000 jobs, according to the agency.

Times of San Diego

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## **California Agencies Plead with EPA to Stop Tijuana River Sewage Flow**

By Chris Jennewein

February 7, 2020

The State Lands Commission and State Controller pleaded with the Environmental Protection Agency in a letter Friday asking for immediate action to stop the flow of 50 million gallons per day of polluted water into the Tijuana River Valley.

That polluted water flow has created significant and ongoing beach closures in Imperial Beach and Coronado.

“The State Lands Commission is deeply concerned about the latest flows of untreated wastewater into the Tijuana River and the impacts of this pollution on community health and public lands,” said State Controller and State Lands Commission Chair Betty Yee. “It is imperative the U.S. EPA collaborate with the Mexican government and International Border and Water Commission to prevent ongoing cross-border pollution and bring a swift end to this crisis.”

Lieutenant Governor and State Lands Commissioner Eleni Kounalakis joined the call to Washington.

“The U.S. EPA must provide leadership at this critical moment. The U.S. section of the Tijuana River Valley must be restored so that the health and safety of California’s residents, visitors, wildlife and natural resources are no longer threatened,” she said.

The authors points out that lack of infrastructure on the U.S. side of the border is one reason the crisis has grown to beach-closing proportions.

The letter follows the late-January signing of the United States- Mexico-Canada Agreement, which guarantees \$300 million to help tackle the Tijuana River Valley pollution crisis.

That money — over four years — will fortify water treatment facilities in the valley, namely the South Bay International Wastewater Treatment Plant. In December, Congress passed a \$1.4 trillion federal spending deal that includes \$25 million for the Environmental Protection Agency’s Border Water Infrastructure Program, \$10 million more than the last year’s allocation.

Transborder pollution from the Tijuana River has contaminated waters and coastlines for decades, forcing San Diego County environmental health officials to regularly close beach access near the border. During that time, local and state officials and environmental activists

have called for federal assistance to protect the health of the environment and residents near the border.

Watch Our City

[ [HYPERLINK "https://watchourcity.com/communities/huntington-beach-company-settles-stormwater-runoff-dispute-with-epa/"](https://watchourcity.com/communities/huntington-beach-company-settles-stormwater-runoff-dispute-with-epa/) ]

## **Huntington Beach Company Settles Stormwater Runoff Dispute With EPA**

February 10, 2020

A Huntington Beach-based company finalized a settlement today with the U.S. Environmental Protection Agency, agreeing to pay a \$95,208 penalty for stormwater runoff violations.

Airtech International Inc., which makes materials used in the aerospace, automotive, marine and wind energy industries, paid the penalty to settle the dispute with the EPA over unauthorized industrial stormwater runoff between December 2014 and January of last year, the EPA reported.

The company will lead five beach clean-up events and a \$66,000 habitat restoration project as part of the settlement, according to the federal agency.

A message sent to the company for comment was not immediately returned.

Airtech did not acquire a stormwater discharge permit from the California State Water Resources Control Board, the EPA reported. The company also failed to routinely sweep paved surfaces and cover spaces where potential sources of pollution are stored to cut down on stormwater runoff, which leads into the Bolsa Chica Channel and the Bolsa Chica Ecological Reserve, according to the EPA.

Water Quality Products

[ HYPERLINK "<https://www.wqpmag.com/regulations/arizonas-pool-water-products-inc-pays-800000-penalty-pesticide-violations>" ]

## **Arizona's Pool Water Products Inc. Pays \$800,000 Penalty for Pesticide Violations**

By Christina Tuser

February 12, 2020

The U.S. EPA has reached a settlement with Pool Water Products Inc. for alleged violations of federal pesticide laws.

The violations occurred at the company's facility in Phoenix, Arizona, reported the EPA. The company has 30 days to pay the \$800,000.

The penalty is also part of EPA's 2018 action ordering the company to stop selling ALL Clear 3" Jumbo Chlorinating Tablets, as it is an improperly registered pesticide.

This applies to nationwide distribution, transport and sales of the product, followed by a statewide stop-sale order issued in 2018 by the Arizona Department of Agriculture. Inspectors discovered the unregistered pesticide during an inspection of the company's warehouse, reported the EPA.

"Unregistered pesticides can pose a significant risk to consumers, children, pets and others," said Amy Miller, EPA's enforcement and compliance division director for the Pacific Southwest region. "This settlement emphasizes how critical it is for companies to follow federal pesticide laws to protect human health."

Under federal law, companies must provide formulation and production data to the EPA upon registering a pesticide product.

The registered ALL Clear 3" tablets were made only in the U.S. until recently, according to the EPA. The product's formula and data demonstrating its effectiveness were evaluated by the EPA. Pool Water Products was found to be selling and distributing an unregistered version of the product made in China, however.

Once the EPA issued the stop-sale order in 2018, the company worked with EPA to register the products made in China and is therefore in compliance with the applicable federal pesticide laws. Federal pesticide laws require the registration of pesticide products and pesticide-production facilities, as well as proper pesticide labeling and packaging, reported the EPA.